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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Note verbale dated 7 July 2015 from the Permanent Mission of Greece to the United Nations Office at Geneva and other international organizations in Switzerland addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of Greece to the United Nations Office at Geneva and other international organizations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and has the honour to provide herewith the comments of the Government of Greece on the written statement, dated 21 May 2015, submitted by Reporters Sans Frontiers International – Reporters Without Borders International, a non-governmental organization in special consultative status, submitted to the Human Rights Council at its twenty-ninth session under agenda item 3 (A/HRC/29/NGO/16).

The Permanent Mission of Greece kindly requests the Office of the High Commissioner to circulate the attached text* as a document of the twenty-ninth session of the Human Rights Council under agenda item 3.

* Reproduced as received, in the language of submission only.

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Annex

[English only]

Comments of the Government of Greece in relation to the written statement submitted by Reporters Sans Frontiers International – Reporters Without Borders International

With reference to the written statement submitted by the "Reporters Without Boarders International", NGO in special consultative status (A/HRC/29/NGO/16) and, in specific, the "blasphemy" case mentioned therein, Greece would like to inform the Human Rights Council on the following:

- A blogger was arrested, on September 2013, for parodying a well-known Greek Orthodox monk, said to have prophetic powers, and he was charged with "malicious blasphemy" ("punished by imprisonment up to two years", art. 198 Criminal Code) and "insulting religion" ("punished by imprisonment up to two years", art. 199 Criminal Code).
- On January 2014, he was found guilty of "repeatedly insulting religion" (and not of "malicious blasphemy") and was sentenced to a 10-month suspended sentence by the Criminal Court of First Instance. The case is currently pending before the Criminal Appeals Court.
- According to Greek Criminal Law, for the completion of both crimes of "malicious blasphemy" and "insulting religion", the "malicious" character of the criminal conduct of the perpetrator is required, as a mens rea element. Therefore, any mere expression of opinion, even in the form of objection, disapproval or disagreement, cannot be regarded as "malicious blasphemy" or "insulting religion".
- It should be noted that certain articles of the Criminal Code, including the abovementioned ones, are currently under review by the competent law-drafting Committee.
- In conclusion, Greece emphasizes the substantial promotion and protection of freedom of expression -as a fundamental prerequisite for building inclusive democracies and enhancing intercultural dialogue, peace and good governance- by undertaking various initiatives towards this direction. In this context and as far as media freedom, online and offline, is concerned, Greece participates, in the core group of countries (Argentina, Austria, Costa Rica, France and Tunisia), who annually submit, since 2013 onwards, thematic resolutions on the "Protection of Journalists" to the Human Rights Council (Resolution 27/5), as well as on the "Safety of Journalists and the Issue of Impunity" to the Third Committee of the UN General Assembly (Resolutions 68/163 and 69/185).